

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MELVIN H. VAN WOERT,

Plaintiff,

-against-

STUART SEALFON, DENNIS CHARNEY, and
MOUNT SINAI MEDICAL CENTER

Defendants.
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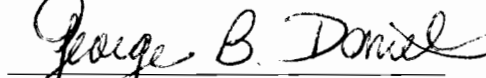
GEORGE B. DANIELS, United States District Judge:

Pro se Plaintiff filed his complaint on September 27, 2012 (ECF No. 1) and was issued a summons. There is no indication that Plaintiff ever served any Defendant, none of whom have appeared. "If a defendant is not served within 120 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant" Fed. R. Civ. P. 4(m).

It is ORDERED that the Plaintiff communicate with this Court, in writing, as to why this action should not be dismissed for failure to prosecute. IT IS FURTHER ORDERED that if this Court does not receive any communication from Plaintiff within 45 days, showing good cause for failure to actively prosecute this action, the Court will dismiss it.

Dated: New York, New York
March 28, 2013

SO ORDERED:



GEORGE B. DANIELS
United States District Judge

